

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Donald Askew Price

Docket No. 5:10-CR-161-1BO

Petition for Action on Probation

COMES NOW Billy W. Boggs, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Donald Askew Price, who, upon an earlier plea of guilty to Conspiracy to Receive, Conceal, and Possess Stolen Mail, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on December 2, 2010, to a 60 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 180 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

On July 21, 2011, the judgment was modified with the defendant's consent to include the following special condition:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 12, 2011, the probation office filed a Motion for Revocation which charged multiple grade C violations of the conditions of supervision. Following discussions with the defendant, defendant's counsel, and counsel for the government, it is recommended that the Motion for Revocation be held in abeyance, and the defendant be given the opportunity to complete a cognitive behavioral program offered by the probation office. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

The Motion for Revocation filed by the probation office on August 12, 2011, is held in abeyance.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Billy W. Boggs, Jr.
Billy W. Boggs, Jr.
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: September 22, 2011

ORDER OF COURT

Considered and ordered this 22 day of September, 2011, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge